

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

DAVID LEE KIDD, II,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 5:14CV122
Criminal Action No. 5:11CR17
(STAMP)

UNITED STATES' MOTION FOR EXTENSION OF TIME TO RESPOND

Now comes the United States of America by William J. Ihlenfeld, II, United States Attorney for the Northern District of West Virginia, and John C. Parr, Assistant United States Attorney for said District and moves the Court to extend the time for filing its Response to Petitioner's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody.

1. On September 8, 2014, the petitioner filed his Court approved Motion with the Court.
2. On September 8, 2014, this Court entered an Order directing the United States to file a response within thirty (30) days or by October 8, 2014.
3. On September 15, 2014, Petitioner filed, in violation of Local R. PL. 3.4.4 and without the prior consent of this Court, a forty (40) page memorandum of law and supplemental brief.
4. In order to comply with the Court's Order, additional time is necessary to review and accurately respond to Petitioner's memorandum and supplemental brief.

5. Therefore, the United States prays that an extension be granted to the United States of 20 days, allowing the United States to file its Response to the petitioner's Motion on October 28, 2014.

Respectfully submitted,

WILLIAM J. IHLENFELD, II
United States Attorney

By: /s/ John C. Parr
John C. Parr
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CERTIFICATE OF SERVICE

I, John C. Parr, Assistant United States Attorney for the Northern District of West Virginia, hereby certify I electronically filed the **UNITED STATES' MOTION FOR EXTENSION OF TIME TO RESPOND** with the Clerk of the Court using the CM/ECF system, and, I hereby certify that I have mailed, by United States Postal Service, the document to the following non-CM/ECF participant:

David Lee Kidd, II
FCI Fort Dix
Unit 5471
Inmate Mail/Parcels
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Fort Dix, NJ 08640

Dated: September 18, 2014.

/s/ John C. Parr
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